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C O N F I D E N T I A L PANAMA 000789

SIPDIS

E.O. 12958: DECL: 09/30/2018  
TAGS: [PGOV](#) [PREL](#) [PM](#)  
SUBJECT: PANAMA: SECURITY LAWS CONTINUE TO GENERATE INTENSE  
POLITICAL DEBATE

REF: PANAMA 00725

Classified By: Ambassador Barbara J. Stephenson for reasons  
1.4 (b) and (d)

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Summary  
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¶1. (C) Over a month after President Martin Torrijos issued five decrees that reformed the Panamanian security services (see reftel), the security sector reform debate continues to occupy newspaper headlines and op-eds. The stage is now set for the laws, and the U.S.-Panamanian security relationship, to become major campaign issues leading up to the May, 2009 elections. The two lines of argument that have now developed were on display at a recent debate at the American Chamber of Commerce. Ebrahim Asvat, president of Panama City broadsheet daily La Estrella, argued that the security laws were an attempt to impose a USG dictated militarized anti-drug policy, as part of what he called the failed war on drugs. He said the reforms aimed to improve Panama's ability to stop drug trafficking to the U.S., at the expense of inner-city policing needed to address Panama's own crime problem. Jaime Abad, a former head of the Judicial Investigative Police (PTJ) and a consultant on the reform laws, argued that Panama faced a dire security situation due to the threats posed by international drug traffickers, and potential international terrorists - particularly to "U.S. nuclear armed submarines." Separately, the leading group in the campaign against the new laws, the Democratic Citizen's Network (RDC), challenged all the presidential candidates to sign a pledge to repeal the laws, if elected. The three opposition presidential candidates - Guillermo Endara, Juan Carlos Varela and Ricardo Martinelli - promptly signed the pledge. Balbina Herrera, the Democratic Revolutionary Party (PRD) candidate, refused to sign, saying she would only reform one of the laws. End Summary.

12. (C) Over a month after Panamanian President Martin Torrijos issued five executive decrees that reformed the Panamanian security forces (reftel), the debate over the laws continues to dominate Panamanian politics. Daily, Panama's leading newspapers' op-ed pages run pieces attacking the laws. These pieces are influential because many radio and television commentators share the print media's op-eds with their audiences, and then add their commentaries on the issues they discuss. Many of these articles focus on the perceived U.S. role in sponsoring the laws as part of a perceived USG interest in re-militarizing Panama as part of the Merida Initiative, while almost nothing is being written in favor of the laws. At the same time, supporters and opponents of the laws are debating them before influential civic groups in an attempt to gain the support of critical opinion makers. POLOFF attended one such debate on September 26 at the American Chamber of Commerce in Panama. Ebrahim Asvat argued in favor of repealing the laws, while Jaime Abad defended them. Asvat, a lawyer and former Torrijos Administration Secretary of Presidential Goals, has taken a strong editorial line against the security reforms as president of the politically influential daily La Estrella. Abad, who was imprisoned and tortured under the Noriega regime, is also a lawyer and served as the head of the Judicial Investigative Police from 1990 to 1994. He worked for the GOP as a consultant on the security laws, and has spoken many times in their defense.

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If All You Have Is a Hammer, Then Every Problem is a Nail  
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13. (C) Asvat told the assembled U.S. business representatives that the security reform laws were passed as part of an initiative by the GOP to militarize the security structures in order to combat international drug trafficking, at the behest of the USG. He said the Pentagon had been helping regional militaries to improve their training and equipment to more effectively fight drug trafficking to the U.S., but noted that the Pentagon lacked a natural partner in Panama due to the civilian nature of its security structures. He said the GOP had passed the security laws to make it easier for the Pentagon to work with the new frontier forces (SENAFRONT) and the new aero-naval service (SENAN) on anti-drug trafficking missions. Asvat said the laws undermined civilian control of the security services, which were a hard won achievement after 21 years of dictatorship, to serve the needs of the U.S. and to confront a drug trafficking problem that, while a serious problem, was not Panama's biggest security problem. He said Panama's real crime problem, growing inner-city violent crime and gang activity, had nothing to do with Coast Guards and Frontier Forces, and that the creation of these forces would draw resources away from the Panamanian National Police (PNP), who are responsible for fighting crime in the cities. He insisted that the U.S. led war on drugs had been a total failure, and that Panama should not risk its democracy or its security following the U.S. into a dead end. He called for a law enforcement strategy based more on prevention and social work than on "repression."

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We Have Plenty of Nails, and No Hammer  
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14. (C) Abad challenged Asvat's argument that drug trafficking was not Panama's main crime problem. Using slides obtained from SouthCom/JIATF-S showing drug trafficking flows, Abad showed how Panama was at the center of many of the main drug trafficking routes. He said that major drug seizures in Panama showed that drug trafficking was increasing, and said that the drugs were increasingly penetrating Panamanian society as well, fueling the gang activity and violent crime. He then pointed to the danger of

terrorist activity, specifically a potential attack against a "nuclear-armed U.S. submarine" transiting the Canal. Finally, Abad emphasized the huge amount of sea space Panama was responsible for patrolling. He implied several times that if Panama did not undertake to fulfill its international obligations to protect the Canal and its territorial waters, "others" (read: the U.S.) might do it. Abad argued that the Panamanian security services were not adequately trained or equipped to confront these challenges now, and that the reforms have long been necessary give the security apparatus the ability to meet their obligations. He noted there had been broad agreement on the need for similar reforms in 2000, under the government of Mireya Moscoso. Citing his own past as a victim of human rights abuses, Abad insisted that the reforms were not part of a "plot" to re-militarize Panama under the influence of former officers of the former Panamanian Defense Forces (PDF), many of whom are now in positions of power in the GOP, including most prominently these days Minister of Government and Justice Daniel Delgado Diamante. Abad said it was not right to continue to look at these people with suspicion because of their associations in the past. He added that while prevention was important, some people were bad, and society had to be protected from them.

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RDC Challenges Candidates  
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15. (C) In the streets of Panama, opposition to the laws has been championed by the Democratic Citizen's Network (RDC). This new civic group has held weekly vigils in front of the Iglesia del Carmen church in central Panama City (site of similar "civil crusade" vigils during the Noriega regime), and also marched to the National Assembly (NA) several times to demand the NA repeal or modify the laws (Note: The NA has the right to modify or repeal the laws. As of now no action has been taken, though several opposition Deputies plan to push for action this week. No serious changes to the laws are expected. End Note). Last week, the RDC invited all the presidential candidates to sign a letter, which the organization had deposited in the office of the Ombudsman, promising to repeal the laws, if elected. All three opposition candidates for president - Guillermo Endara, Ricardo Martinelli, and Juan Carlos Varela - have now signed the letter, placing the future of the new institutions in doubt. PRD presidential candidate Balbina Herrera refused to sign the document, saying she would only revise the law which created the National Intelligence and Security Service (SENIS) to guarantee its activities were "transparent", so nobody believed it was persecuting politicians. Mauro Zuniga, the head of the RDC, was quoted in the papers on September 29 saying that by refusing to sign the letter Balbina "admits her intention to re-militarize the country, revive the G-2 (Note: Noriega era intelligence service responsible for many human rights violations. End Note), and return to the 'death squads.'"

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Campaign Issue?  
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16. (C) Panamanista presidential candidate Juan Carlos Varela put the security laws at the center of his campaign at a political event on September 22, when he strongly condemned the government for attempting to impose a "civil dictatorship." His promise to repeal the security laws got the loudest ovation by far from a room packed with the leaders of all the factions of the Panamanista party, and the recently allied MOLERENA party. A recent poll by Unimer, published in Panama City's La Prensa daily newspaper, reported that 38.1% of respondents were worried about the new laws, and feared they would lead to a re-militarization of the country, while 40.3% thought they would lead to an improvement in security.

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Comment  
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17. (C) The dogged efforts of the major newspapers and the RDC are succeeding in giving the debate over the security laws a political character. The secret to their success is the genuine nervousness many Panamanians feel about the new laws, especially among members of civic organizations, the business community, and the political opposition who suffered under the Omar Torrijos and Manuel Noriega dictatorships. It now seems quite possible that these groups will succeed in making this a political issue in the elections, whether the candidates want it to be or not. Where many of the op-ed pieces up to now have been written by members of the Panamanista's small nationalist/leftist faction (the MAPA), we are now seeing alarmist articles from thoughtful and respected political leaders. Unfortunately, this debate tends to place our security relationship with Panama out in the open - from HVT transits of the Canal, to counter-drug cooperation - and potentially subject it to political attack as the campaign heats up. At this time opponents of the laws are looking for any evidence of U.S. "complicity" with the crafting of the laws. We are making some small headway in shifting this debate away from the U.S. by highlighting the Embassy's support for law enforcement solutions to law enforcement problems in general, and specific support for community policing. Merida funding for additional prevention and community action efforts should help us reframe our role in the eyes of the Panamanian public.

STEPHENSON